

**CHAPTER 33-10-11**  
**FEES FOR ISSUANCE OF LICENSE AND REGISTRATION CERTIFICATES**  
**AND INSPECTIONS**

Section	
33-10-11-01	Purpose
33-10-11-02	Scope
33-10-11-03	Exemptions
33-10-11-04	Payment of Fees
33-10-11-05	Failure by Applicant or Licensee to Pay Prescribed Fees

**33-10-11-01. Purpose.** This chapter establishes fees charged for the issuance of licenses and registration certificates by the department. This chapter also establishes fees charged to recover costs associated with nonroutine regulatory inspections and surveys of licensees and registrants.

**History:** Effective October 1, 1982; amended effective June 1, 1992; March 1, 2003.

**General Authority:** NDCC 23-20.1-04, 23-20.1-04.5

**Law Implemented:** NDCC 23-20.1-04, 23-20.1-04.5

**33-10-11-02. Scope.** This chapter applies to a person who is an applicant for, or a holder of, a radioactive material license or a registration certificate issued by the department.

**History:** Effective October 1, 1982.

**General Authority:** NDCC 23-20.1-04, 23-20.1-04.5

**Law Implemented:** NDCC 23-20.1-03, 23-20.1-04, 23-20.1-04.5

**33-10-11-03. Exemptions.** No application fees, license fees, amendment fees, renewal fees, or special project fees, shall be required for:

1. A license authorizing the use of source material as shielding only in devices and containers; provided, however, that all other licensed byproduct material, naturally occurring or accelerator-produced radioactive material, source material, or special nuclear material in the device or container will be subject to the fees prescribed in appendix A of this chapter.
2. Nonprofit educational institutions are exempt from the fees prescribed in appendices A and B of this chapter. This exemption does not apply to those radioactive material licenses or machine registration certificates which authorize any of the following:
  - a. Human use.
  - b. Remunerated services to other persons.

- c. Distribution of byproduct material, naturally occurring or accelerator-produced radioactive material, source material, or special nuclear material, or products containing byproduct material, naturally occurring or accelerator-produced radioactive material, source material, or special nuclear material.
  - d. Activities performed under a government contract.
3. The department may, upon application by an interested person, or upon its own initiative, grant such exemptions from the requirements of this chapter as it determines are authorized by law and are otherwise in the public interest.

**History:** Effective October 1, 1982; amended effective June 1, 1986; June 1, 1992; March 1, 1994.

**General Authority:** NDCC 23-20.1-04, 23-20.1-04.5

**Law Implemented:** NDCC 23-20.1-03, 23-20.1-04, 23-20.1-04.5

**33-10-11-04. Payment of fees.** The following fees are nonrefundable:

1. **License and registration fees.** The appropriate licensing or registration fee shall accompany the application for licensure or registration when filed with the department. For radioactive material licenses, the application fee is equal to the appropriate annual fee.
2. **Amendment fees.** The appropriate amendment fee shall accompany the application for amendment when filed with the department.
3. **Renewal fees.** The appropriate renewal fee shall accompany the renewal application when filed with the department. For radioactive material licenses that are current on their annual fee payments, no renewal fee will be assessed.
4. **Reciprocity fee.** The appropriate reciprocity fee shall accompany the written notification as required in sections 33-10-03-06 and 33-10-02-11.
5. **Special project fees.** Fees for special projects are payable upon notification by the department when the review of the project is completed. Special projects mean those projects submitted to the department for review and for which specific fees are not prescribed in this chapter. Special project fees will be based upon the current professional staff hourly rate (thirty-three percent of the current nuclear regulatory commission rate listed in 10 CFR 170.20).
6. **Annual fees.** Annual fees are required to be paid by all radioactive material licensees no later than January first of each year the license is active, except that the annual fee due on January first of the year following the issuance of a new license shall be prorated to the number

of months the license was in effect the first calendar year (example: for a new license issued in May the annual fee due January first would be seven-twelfths [June-December] of the annual fee listed in appendix A).

7. **Inspection and survey fees.** Fees for regulatory inspections and surveys of North Dakota licensees are included in the registration or annual fees for each registration or license type. Nonroutine inspections will require the nonroutine inspection fee to be paid upon notification by the department when the inspection has been completed.
8. **Annual fees for small entities.** An industrial radiography or well logging licensee may qualify as a small entity. If a licensee qualifies as a small entity and provides the department with the proper certification, the maximum annual fee shall be one thousand three hundred fifty dollars for industrial radiography or one thousand two hundred dollars for well logging. If the annual receipts of a small entity engaged in industrial radiography or well logging are below three hundred fifty thousand dollars, the annual fee is five hundred dollars.
  - a. A licensee qualifies as a small entity if it meets the following size standards:
    - (1) A small business is a business with annual receipts of three and one-half million dollars or less.
    - (2) A small organization is a not-for-profit organization which is independently owned and operated and has annual receipts of three and one-half million dollars or less.
    - (3) Small governmental jurisdictions are governments of cities, counties, towns, townships, villages, school districts, or special districts with a population of less than fifty thousand.
    - (4) A small educational institution is one that is:
      - (a) Supported by a qualifying small governmental jurisdiction; or
      - (b) One that is not state or publicly supported and has five hundred employees or less.
    - (5) A licensee who is a subsidiary of a large entity does not qualify as a small entity for purposes of this section.
  - b. A licensee who seeks to establish status as a small entity for purposes of paying the fees required under this chapter shall file a certification statement with the department. The licensee shall:

- (1) Certify, on the business's letterhead, that the business meets the conditions in subdivision a of subsection 8 of this section;
  - (2) Sign the certification as the chief executive officer of the business or as an official designee; and
  - (3) Have the certification notarized.
- c. A licensee who seeks to qualify as a small entity shall submit the certification with the reduced annual fee payment.
- d. For purposes of this chapter, the licensee shall submit a new certification with its annual fee payment each year.
9. **Method of payment.** Fee payments shall be by check, draft, or money order made payable to the North Dakota department of health.
10. **Submittal of application and fee payment.** The application for licensure or registration shall be accompanied by the fee payment and shall be submitted to:

North Dakota Department of Health  
Division of Air Quality  
1200 Missouri Avenue, Room 304  
Box 5520  
Bismarck, ND 58506-5520

**History:** Effective October 1, 1982; amended effective June 1, 1986; June 1, 1992; March 1, 1994; July 1, 1995; May 1, 1998; March 1, 2003.

**General Authority:** NDCC 23-20.1-04, 23-20.1-04.5

**Law Implemented:** NDCC 23-20.1-04, 23-20.1-04.5

### **33-10-11-05. Failure by applicant or licensee to pay prescribed fees.**

1. In any case where the department finds that an applicant or a licensee has failed to pay a prescribed fee required in this chapter, the department will not process any application and may suspend or revoke any license or approval involved or may issue an order with respect to licensed activities as the department determines to be appropriate or necessary in order to carry out the provisions of this chapter and of the North Dakota Century Code.
2. In any case where the department does not receive the prescribed fee by the stated due date, an additional fee shall be levied as stated in category 30 of appendix A.

**History:** Effective October 1, 1982; amended effective March 1, 2003.

**General Authority:** NDCC 23-20.1-04, 23-20.1-04.5

**Law Implemented:** NDCC 23-20.1-04, 23-20.1-04.5

## APPENDIX A

### SCHEDULE OF FEES FOR RADIOACTIVE MATERIAL LICENSES

Applicants for radioactive material licenses and other regulatory services and holders of radioactive material licenses shall pay the following fees.

Category	Description	Base Fees (USD)		Additional Charges
1. SPECIAL NUCLEAR MATERIAL				
A	Licenses for possession and use of 200 grams or more of plutonium in unsealed form or 350 grams or more of contained U-235 in unsealed form or 200 grams or more of U-233 in unsealed form. This includes applications to terminate licenses as well as licenses authorizing possession only.	Amendment	Full Cost	Items 26 and/or 30 as applicable.
		Non-routine inspection	Full Cost	
		Annual Fee	\$82,100	
B	Licenses for receipt and storage of spent fuel at an independent spent fuel storage installation. (Regulated by NRC)	Amendment	N/A	N/A
		Non-routine Inspection	N/A	
		Annual Fee	N/A	
C	Licenses for possession and use of special nuclear material in sealed sources contained in devices used in industrial measuring systems, including X-ray fluorescence analyzers.	Amendment	\$150	Items 26 and/or 30 as applicable.
		Non-routine Inspection	\$500	
		Annual Fee	\$700	
D	All other special nuclear material licenses except licenses authorizing special nuclear material in unsealed form in combination that would constitute a critical quantity.	Amendment	\$150	Items 26 and/or 30 as applicable.
		Non-routine Inspection	\$500	
		Annual Fee	\$1,050	
2. SOURCE MATERIAL				
A	Licenses for possession and use of source material in recovery operations such as milling, in situ leaching, heap-leaching, refining uranium mill concentrates to uranium hexafluoride, or buying stations, ion exchange facilities and in processing of ores containing source material for extraction of metals other than uranium or thorium, including licenses authorizing the possession of byproduct waste material (tailings) from source material recovery operations, as well as licenses authorizing the possession and maintenance of a facility in a standby mode.	Amendment	Full Cost	Items 26 and/or 30 as applicable.
		Non-routine Inspection	Full Cost	
		Annual Fee	\$426,900	
B	Licenses for possession, use and or installation of source material for shielding only.	Amendment	\$50	Items 26 and/or 30 as applicable.
		Non-routine inspection	\$150	
		Annual Fee	\$250	

C	All other source material licenses.	Amendment	\$170	Items 26 and/or 30 as applicable.
		Non-routine inspection	\$570	
		Annual Fee	\$1,750	
3. BYPRODUCT, NATURALLY OCCURRING OR ACCELERATOR-PRODUCED RADIOACTIVE MATERIAL				
A	Licenses of broad scope for possession and use of byproduct material or naturally occurring or accelerator-produced radioactive material issued pursuant to Chapter 33-10-03 for processing or manufacturing of items containing byproduct material or naturally occurring or accelerator-produced radioactive material for commercial distribution.	Amendment	\$100	Items 26 and/or 30 as applicable.
		Non-routine inspection	\$1,200	
		Annual Fee	\$5,000	
B	Other licenses for possession and use of byproduct material or naturally occurring or accelerator-produced radioactive material issued pursuant to Chapter 33-10-03 for processing or manufacturing of items containing byproduct material or naturally occurring or accelerator-produced radioactive material for commercial distribution.	Amendment	\$210	Items 26 and/or 30 as applicable.
		Non-routine inspection	\$750	
		Annual Fee	\$2,300	
C	Licenses issued pursuant to Chapter 33-10-03 authorizing the processing or manufacturing and distribution or redistribution of radiopharmaceuticals, generator, reagent kits and/or sources and devices containing byproduct material or naturally occurring or accelerator-produced radioactive material.	Amendment	\$170	Items 26 and/or 30 as applicable.
		Non-routine inspection	\$720	
		Annual Fee	\$5,000	
D	License and approvals issued pursuant to Chapter 33-10-03 authorizing distribution or redistribution of radiopharmaceuticals, generators, reagent kits and/or sources or devices not involving processing of byproduct material or naturally occurring or accelerator-produced radioactive material	Amendment	\$120	Items 26 and/or 30 as applicable.
		Non-routine inspection	\$450	
		Annual Fee	\$2,000	
E	Licenses for possession and use of byproduct material or naturally occurring or accelerator-produced radioactive material in sealed sources for irradiation of materials in which the source is not removed from its shield (self-shielded units).	Amendment	\$130	Items 26 and/or 30 as applicable.
		Non-routine inspection	\$260	
		Annual Fee	\$900	
F	License for possession and use of less than 370 terabecquerels [10,000 curies] of byproduct material or naturally occurring or accelerator-produced radioactive material in sealed sources for irradiation of materials in which the source is exposed for irradiation purposes.	Amendment	\$130	Items 26 and/or 30 as applicable.
		Non-routine inspection	\$300	
		Annual Fee	\$870	
G	Licenses for possession and use of 370 terabecquerels [10,000 curies] or more of byproduct material or naturally occurring or accelerator-produced radioactive material in sealed sources for irradiation of materials in which the source is exposed for irradiation purposes.	Amendment	\$175	Items 26 and/or 30 as applicable.
		Non-routine inspection	\$525	
		Annual Fee	\$8,000	

H	Licenses issued pursuant to Chapter 33-10-03 to distribute items containing byproduct material or naturally occurring or accelerator-produced radioactive material that require device review to persons exempt from the licensing requirements of Chapter 33-10-03, except specific licenses authorizing redistribution of items that have been authorized for distribution to persons exempt from the licenses of Chapter 33-10-03.	Amendment  Non-routine inspection  Annual Fee	\$100  \$400  \$2,600	Items 26 and/or 30 as applicable.
I	Licenses issued pursuant to Chapter 33-10-03 to distribute items containing byproduct material or naturally occurring or accelerator-produced radioactive material, or quantities of byproduct material or naturally occurring or accelerator-produced radioactive material that do not require device evaluation to persons exempt from the licensing requirements of Chapter 33-10-03, except for specific licenses authorizing redistribution of items that have been authorized for distribution to persons exempt from the licensing requirements of Chapter 33-10-03.	Amendment  Non-routine inspection  Annual Fee	\$130  \$260  \$3,900	Items 26 and/or 30 as applicable.
J	Licenses issued pursuant to Chapter 33-10-03 to distribute items containing byproduct material or naturally occurring or accelerator-produced radioactive material that require sealed source and/or device review to persons generally licensed under Chapter 33-10-03, except specific licenses authorizing redistribution of items that have been authorized for distribution to persons generally licensed under this chapter.	Amendment  Non-routine inspection  Annual Fee	\$150  \$390  \$2,400	Items 26 and/or 30 as applicable.
K	Licenses issued pursuant to Chapter 33-10-03 to distribute items containing byproduct material or naturally occurring or accelerator-produced radioactive material, or quantities of byproduct material or naturally occurring or accelerator-produced radioactive material that do not require sealed source and/or device review to persons generally licensed under this chapter, except specific licenses authorizing for redistribution of items that have been authorized for distribution to persons generally licensed under this chapter.	Amendment  Non-routine inspection  Annual Fee	\$110  \$390  \$1,000	Items 26 and/or 30 as applicable.
L	Licenses of broad scope for possession and use of byproduct material or naturally occurring or accelerator-produced radioactive material issued pursuant to Chapter 33-10-03 for research and development that do not authorize commercial distribution.	Amendment  Non-routine inspection  Annual Fee	\$190  \$450  \$1,500	Items 26 and/or 30 as applicable.
M	Other licenses for possession and use of byproduct material or naturally occurring or accelerator-produced radioactive material issued pursuant to Chapter 33-10-03 for research and development that do not authorize commercial distribution.	Amendment  Non-routine inspection  Annual Fee	\$240  \$350  \$1,400	Items 26 and/or 30 as applicable.

N	Licenses that authorize services for other licensees, except (1) licenses that authorize calibration or leak testing services only are subject to the fees specified in fee Categories 18 and 19, and (2) licenses that authorize waste disposal services are subject to the fees specified in fee Categories 4A, 4B, and 4C.		Amendment	\$150	Items 26 and/or 30 as applicable.
			Non-routine inspection	\$390	
			Annual Fee	\$2,260	
O	License for possession and use of byproduct material or naturally occurring or accelerator-produced radioactive material issued pursuant to Chapter 33-10-05 for industrial radiographic operations.		Amendment	\$190	Items 26 and/or 30 as applicable.
			Non-routine inspection	\$940	
			Annual Fee (Standard)	\$3,050	
			Annual Fee (Small Entity)	\$1,350	
P	All other specific byproduct material or naturally occurring or accelerator-produced radioactive material licenses, except as described in items 1-6 below or listed in Categories 4A through 10D.		Amendment	\$140	Items 26 and/or 30 as applicable.
			Non-routine inspection	\$680	
			Annual Fee	\$870	
	1	Fixed gas chromatographs and/or non-portable X-ray fluorescence analyzers only.	Amendment	\$115	Items 26 and/or 30 as applicable.  An additional \$100 if possess 10 or more devices.
			Non-routine inspection	\$300	
			Annual Fee	\$400	
	2	Portable X-ray fluorescence analyzers only.	Amendment	\$115	Items 26 and/or 30 as applicable.  An additional \$100 if possess 10 or more devices.
			Non-routine inspection	\$350	
			Annual Fee	\$500	
	3	Spinning pipe-thickness gauges only.	Amendment	\$140	Item 30 as applicable.  An additional \$100 per extra licensed location and an additional \$100 if possess more than 5 devices.
			Non-routine inspection	\$600	
			Annual Fee	\$800	
	4	Moisture and/or density measuring gauges only.	Amendment	\$150	Item 30 as applicable.  An additional \$100 per extra licensed location and an additional \$100 if possess 10 or more gauges.
			Non-routine inspection	\$500	
			Annual Fee	\$800	



	5	All other portable and mobile gauging devices only.	Amendment	\$150	Item 30 as applicable.
			Non-routine inspection	\$650	
			Annual Fee	\$800	An additional \$100 per extra licensed location and an additional \$100 if possess more than 10 or more gauges.
	6	Fixed level and/or density gauges only.	Amendment	\$140	Item 30 as applicable.
			Non-routine inspection	\$500	
			Annual Fee	\$800	An additional \$100 per extra licensed location and an additional \$150 if possess 25 or more gauges.
Q		Registration of a device(s) generally licensed under Chapter 33-10-03.  (Each address or location where the device(s) are used or stored represents a separate general license and requires a separate registration and fee.)	Amendment	\$100	Item 30 as applicable.
			Non-routine inspection	\$250	
			Annual Registration	\$450	An additional \$150 if possess 25 or more devices
4. WASTE DISPOSAL AND PROCESSING					
A		Licenses specifically authorizing the receipt of waste byproduct material, naturally occurring or accelerator-produced radioactive material, source material, or special nuclear material from other persons for the purpose of contingency storage or commercial land disposal by the licensee; or licenses authorizing contingency storage of low-level radioactive waste at the site of nuclear power reactors; or licenses for receipt of waste from other persons for incineration or other treatment, packaging of resulting waste and residues, and transfer of packages to another person authorized to receive or dispose of waste material.	Amendment	Full Cost	Items 26 and/or 30 as applicable.
			Non-routine inspection	Full Cost	
			Annual Fee	\$49,900	
B		Licenses specifically authorizing the receipt of waste byproduct material, naturally occurring or accelerator-produced radioactive material, source material, or special nuclear material from other persons for the purpose of packaging or repackaging the material. The licensee will dispose of the material by transfer to another person authorized to receive or dispose of the material.	Amendment	\$100	Items 26 and/or 30 as applicable.
			Non-routine inspection	\$790	
			Annual Fee	\$6,000	

C	Licenses specifically authorizing the receipt of prepackaged waste byproduct material, naturally occurring or accelerator-produced radioactive material, source material, or special nuclear material from other persons. The licensee will dispose of the material by transfer to another person authorized to receive or dispose of the material.	Amendment  Non-routine inspection  Annual Fee	\$100  \$790  \$2,800	Items 26 and/or 30 as applicable.
5. WELL LOGGING				
A	Licenses for possession and use of byproduct material, naturally occurring or accelerator-produced radioactive material, source material, and/or special nuclear material for well logging, well surveys, and tracer studies other than field flooding tracer studies.	Amendment  Non-routine inspection  Annual Fee  Standard Annual Fee (Small Entity)	\$200  \$450  \$2,500  \$1,200	Items 26 and/or 30 as applicable.
B	Licenses for possession and use of byproduct material or naturally occurring or accelerator-produced radioactive material, for field flooding tracer studies.	Amendment  Non-routine inspection  Annual Fee  Standard Annual Fee (Small Entity)	Full Cost  \$380  \$5,800  \$4,000	Items 26 and/or 30 as applicable.
6. NUCLEAR LAUNDRY				
	Licenses for commercial collection and laundry of items contaminated with byproduct material, naturally occurring or accelerator-produced radioactive material, source material or special nuclear material.	Amendment  Non-routine inspection  Annual Fee	\$130  \$720  \$2,700	Items 26 and/or 30 as applicable.
7. HUMAN USE OF BYPRODUCT, NATURALLY OCCURRING OR ACCELERATOR-PRODUCED, SOURCE, OR SPECIAL NUCLEAR MATERIAL				
A	Licenses issued pursuant to Chapter 33-10-03 for human use of byproduct material, naturally occurring or accelerator-produced radioactive material, source material, or special nuclear material in sealed sources contained in teletherapy devices.	Amendment  Non-routine inspection  Annual Fee	\$160  \$720  \$6,200	Items 26 and/or 30 as applicable.
B	Licenses of broad scope issued to medical institutions or two or more physicians pursuant to Chapter 33-10-03 authorizing research and development, including human use of byproduct material, except licenses for byproduct material, naturally occurring or accelerator-produced radioactive material, source material, or special nuclear material in sealed sources contained in teletherapy devices.	Amendment  Non-routine inspection  Annual Fee	\$140  \$680  \$6,500	Items 26 and/or 30 as applicable.

C	Other licenses issued pursuant to Chapter 33-10-03 for human use of byproduct material, naturally occurring or accelerator-produced radioactive material, source material, and/or special nuclear material, except licenses for byproduct material, source material, naturally occurring or accelerator-produced radioactive material, special nuclear material in sealed sources contained in teletherapy devices, or as listed in items 1-4 below.		Amendment	\$160	Items 26 and/or 30 as applicable.
			Non-routine inspection	\$570	
			Annual Fee	\$2,200	
	1	Licenses issued pursuant to Chapter 33-10-03 for human use of byproduct material, naturally occurring or accelerator-produced radioactive material, source material, or special nuclear material including the possession and use of computerized remote high dose-rate after loading brachytherapy (HDR) devices, and/or the use of radioactive material for positron emission tomography (PET).	Amendment	\$150	Items 26 and/or 30 as applicable.
			Non-routine inspection	\$670	
			Annual Fee	\$2,500	
	2	Licenses issued pursuant to Chapter 33-10-03 for human use of byproduct material, naturally occurring or accelerator-produced radioactive material, source material, or special nuclear material including the possession and use of sealed sources for brachytherapy (except HDR devices).	Amendment	\$160	Items 26 and/or 30 as applicable.
			Non-routine inspection	\$560	
			Annual Fee	\$2,400	
	3	Licenses issued pursuant to Chapter 33-10-03 for human use of byproduct material, naturally occurring or accelerator-produced radioactive material, source material, or special nuclear material for nuclear medicine diagnostic procedures only.	Amendment	\$140	Items 26 and/or 30 as applicable.
			Non-routine inspection	\$510	
			Annual Fee	\$2,100	
	4	Licenses issued pursuant to Chapter 33-10-03 for human use of byproduct material, naturally occurring or accelerator-produced radioactive material, source material, or special nuclear material for nuclear medicine procedures performed by a mobile nuclear medicine service.	Amendment	\$160	Item 30 as applicable.  An additional \$200 per extra licensed location and an additional \$100 if licensed for the use of radioactive material for positron emission tomography (PET).
			Non-routine inspection	\$680	
			Annual Fee	\$2,200	
8. VETERINARY MEDICINE					
A	Licenses issued for the veterinary use of byproduct material, naturally occurring or accelerator-produced radioactive material, source material, or special nuclear material in animals for diagnostic procedures only.		Amendment	\$140	Items 26 and/or 30 as applicable.
			Non-routine inspection	\$450	
			Annual Fee	\$1,300	

B	Licenses issued for the veterinary use of byproduct material, naturally occurring or accelerator-produced radioactive material, source material, or special nuclear material in animals for diagnostic and/or therapeutic procedures.	Amendment	\$140	Items 26 and/or 30 as applicable.
		Non-routine inspection	\$450	
		Annual Fee	\$1,500	
9. CIVIL DEFENSE				
	Licenses for possession and use of byproduct material, naturally occurring or accelerator-produced radioactive material, source material, or special nuclear material for civil defense activities.	Amendment	\$120	Items 26 and/or 30 as applicable.
		Non-routine inspection	\$260	
		Annual Fee	\$700	
10. DEVICE, PRODUCT OR SEALED SOURCE SAFETY EVALUATION				
A	Safety evaluation of devices or products containing byproduct material, naturally occurring or accelerator-produced radioactive material, source material, or special nuclear material, except reactor fuel devices, for commercial distribution.	Amendment	N/A	N/A
		Non-routine inspection	N/A	
		Annual Fee	N/A	
B	Safety evaluation of devices or products containing byproduct material, naturally occurring or accelerator-produced radioactive material, source material, or special nuclear material manufactured in accordance with the unique specifications of, and for use by a single applicant, except reactor fuel devices.	Amendment	N/A	N/A
		Non-routine inspection	N/A	
		Annual Fee	N/A	
C	Safety evaluation of sealed sources containing byproduct material, naturally occurring or accelerator-produced radioactive material, source material, or special nuclear material, except reactor fuel, for commercial distribution.	Amendment	N/A	N/A
		Non-routine inspection	N/A	
		Annual Fee	N/A	
D	Safety evaluation of sealed sources containing byproduct material, naturally occurring or accelerator-produced radioactive material, source material, or special nuclear material, manufactured in accordance with the unique specifications of, and for use by a single applicant, except reactor fuel.	Amendment	N/A	N/A
		Non-routine inspection	N/A	
		Annual Fee	N/A	
11.	Transportation of radioactive material (Regulated by DOT and/or NRC).	Amendment	N/A	N/A
		Non-routine inspection	N/A	
		Annual Fee	N/A	
12.	Review of standardized spent fuel facilities (Regulated by NRC).	Amendment	N/A	N/A
		Non-routine inspection	N/A	
		Annual Fee	N/A	
13.	Special projects.	Amendment	Full Cost	Items 26 and/or 30 as applicable.
		Non-routine inspection	Full Cost	
		Annual Fee	Full Cost	
14. SPENT FUEL STORAGE				

A	Spent fuel storage cask Certificate of Compliance (Regulated by NRC).	Amendment	N/A	N/A
		Non-routine inspection	N/A	
		Annual Fee	N/A	
B	Inspections related to spent fuel storage cask Certificate of Compliance (Regulated by NRC).	Amendment	N/A	N/A
		Non-routine inspection	N/A	
		Annual Fee	N/A	
C	Inspections related to storage of spent fuel (Regulated by NRC).	Amendment	N/A	N/A
		Non-routine inspection	N/A	
		Annual Fee	N/A	
15.	Byproduct, naturally occurring or acccelerator-produced, source, or special nuclear material licenses and other approvals authorizing decommissioning, decontamination, reclamation or site restoration activities pursuant to 10 CFR Parts 30, 40, 70, and 72.	Amendment	Full Cost	Items 26 and/or 30 as applicable.
		Non-routine inspection	Full Cost	
		Annual Fee	Full Cost	
16.	Import and export licenses (Regulated by NRC).	Amendment	N/A	N/A
		Non-routine inspection	N/A	
		Annual Fee	N/A	
17.	Reciprocity: Other agreement state and/or NRC licensees who conduct activities in North Dakota under the reciprocity provisions of Chapters 33-10-02 and 33-10-03.  (Application fee is due three working days prior to entering the state.)	Application Fee	Same as annual fee for license type	Items 26 and/or 30 as applicable.
		Non-routine Inspection	Same as inspection fee for license type	
18. SERVICES FOR OTHER LICENSED ENTITIES				
A	Leak test and analysis services (for other licensed entities) only.	Amendment	\$140	Items 26 and/or 30 as applicable.
		Non-routine inspection	\$350	
		Annual Fee	\$650	
B	Instrument calibration services (for other licensed entities) only.	Amendment	\$140	Items 26 and/or 30 as applicable.
		Non-routine inspection	\$350	
		Annual Fee	\$650	
19.	Combination leak test and analysis services and instrument calibration services (for other licensed entities) only.	Amendment	\$150	Items 26 and/or 30 as applicable.
		Non-routine inspection	\$400	
		Annual Fee	\$870	

20.	Calibration and/or reference sources (not for providing service to other licensed entities) only.	Amendment Non-routine inspection Annual Fee	\$100 \$250 \$450	Items 26 and/or 30 as applicable.
21.	Storage of radioactive material only.	Amendment Non-routine inspection Annual Fee	\$140 \$350 \$600	Items 30 as applicable.  An additional \$100 per extra licensed location and an additional \$100 if possess 10 or more sources.
22. DECONTAMINATION SERVICES				
A	Providing deliberate operations to reduce or remove residual radioactivity from equipment, facilities, and land owned, possessed, or controlled by other persons to a level that permits release of equipment, facilities, and land for unrestricted use and/or termination of a license rendered from a mobile unit only.	Amendment Non-routine inspection Annual Fee	\$160 \$500 \$1,200	Items 26 and/or 30 as applicable.
B	Providing deliberate operations to reduce or remove residual radioactivity from equipment, facilities, and land owned, possessed, or controlled by other persons to a level that permits release of equipment, facilities, and land for unrestricted use and/or termination of a license rendered from a fixed facility or a mobile unit.	Amendment Non-routine inspection Annual Fee	\$250 \$650 \$8,000	Items 26 and/or 30 as applicable.
23.	Radiation training courses involving the use of licensed material by the instructor and/or the participants.	Annual Fee	\$200	Item 30 as applicable.
24.	Demonstration and sales of devices containing radioactive materials	Annual Fee	\$200	Item 30 as applicable.
25.	Installation, removal, repair and servicing of devices containing radioactive materials.	Annual Fee	\$760	Item 30 as applicable.
26.	Multiple offices: Add the following fees per additional office location. (This category does not apply to additional licensed locations in Categories 3.P.3 to 3.P.6, or 21 above.)	Annual Fee	25% of Base Fee for Category Type per Location	Item 30 as applicable.
27.	Administrative amendment (limited to the following amendments only):	Amendment	\$100	Item 30 as applicable.
	<ul style="list-style-type: none"> <li>- Corporate name change with no radiation safety program changes</li> <li>- Change of mailing address only (no change to locations of use)</li> <li>- Minor O&amp;E procedures manual changes (industrial users only)</li> <li>- Filing of training certificates (gauge users only)</li> </ul>			

28.	Inspection of radioactive materials package shipments to low-level radioactive waste disposal facility.	Inspection	Full Cost	Item 30 as applicable.
29.	Certificate - in vitro testing with radioactive material under general license.	Certificate Fee (Valid for three years)	\$120	Item 30 as applicable.
30.	Late payment of any fees described in items 1-29 above.	From payment due date	Fee Amount	An additional \$30 per 30 days late.

Note: All fee amounts are shown in United States dollars (USD).

**History:** Effective October 1, 1982; amended effective June 1, 1986; June 1, 1992; March 1, 1994; July 1, 1995; May 1, 1998; March 1, 2003.

**General Authority:** NDCC 23-20.1-04.5, 28-32-02

**Law Implemented:** NDCC 23-20.1-04, 23-20.1-04.5

**APPENDIX B**  
**SCHEDULE OF FEES FOR REGISTRATION**  
**CERTIFICATION AND INSPECTIONS**

Applications for registration of radiation machines and other regulatory services shall pay the following fees for each machine that they possess and use at their facilities. The fees cover a three-year registration period and the renewal fee is the amount listed.

Registration Category	Fee/Machine (in U.S. dollars)
Dentistry	95
Medical:	
A. Radiographic Machine (including computed tomography)	150
B. Fluoroscopic Machine	230
C. Combined Radiographic-Fluoroscopic	300
D. (1) Therapeutic: Linear Acccelerator (Less than 10MEV)	230
(2) Therapeutic: Linear Accelerator (greater than 10MEV)	375
E. Superficial X-ray	115
Chiropractic	140
Podiatry	115
Veterinary Medicine	95
Industrial Radiography	375
Accelerators (Industrial and Research)	230
Education and Research	230
<hr/>	
Other Registration Fees and Services	Annual Service Fees (in U.S. dollars)
X-ray Service and Installers	230
Radiation Training Courses	150
X-ray Sales and Demonstrations	230
Combined Sales and Service (Assembler)	300
Dosimeterists and Physicists	150
Shielding Evaluations (Routine)	230 per evaluation



Shielding Evaluations (Nonroutine)

Full cost

Reciprocity (X-ray producing machines)

230 per year per machine

---

**History:** Effective October 1, 1982; amended effective June 1, 1986; June 1, 1992; March 1, 1994; July 1, 1995; March 1, 2003.

**General Authority:** NDCC 23-20.1-04.5, 28-32-02

**Law Implemented:** NDCC 23-20.1-04, 23-20.1-04.5